



ENTERED
06/07/2010

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN RE:
ALPHA RED, INC.
Debtor.

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§
§

CASE NO. 08-37782
(CHAPTER 7)

ORDER GRANTING TRUSTEE'S MOTION TO AUTHORIZE SALE OF PROPERTY
OF THE ESTATE (EQUIPMENT) BY CONSIGNMENT WITH SOMERSET
TECHNOLOGY SALES PURSUANT TO 11 U.S.C. § 363(b)
(RELATES TO DOCKET NO. 222)

CAME ON for consideration, the Trustee's Motion to Authorize Sale of Property of the Estate (Equipment) By Consignment With Somerset Technology Sales Pursuant to 11 U.S.C. § 363(b) (the "Motion") [Doc. No. 222] filed by Douglas J. Brickley, chapter 7 trustee, and after consideration of the Motion and determining that it has merit, and that it was duly served and due notice was provided; it is hereby

ORDERED that the Motion is **GRANTED**; it is further

ORDERED that the Trustee shall sell property of the estate including, but not limited to, the items listed on **Exhibit A** attached to the Motion (the "Equipment") free and clear of any and all liens and encumbrances by consignment sale with Somerset Technology Sales; it is further

ORDERED that the Consignment Remarketing Agreement with Somerset Technology Sales attached as **Exhibit B** to the Motion is approved; it is further

ORDERED that Somerset Technology Sales shall receive as compensation for a sale commission of fifty-percent (50%) of the full sales price (excluding sales tax) as a commission. If STS pays for any collection costs in dealing with the equipment, the costs will be removed from the proceeds prior to the split between STS and the Estate. STS will provide handling, insurance, storage, inspection and out-bound freight at the time of sale and appraisal of the consigned equipment to the Estate at no cost; it is further

ORDERED that Somerset Technology Sales shall hold all gross proceeds from the sale in its' non-interest bearing, trust account and shall remit the net proceeds of the sale (less commission and expenses) no later than thirty (30) days after the sale is conducted; it is further

ORDERED that the Trustee is allowed to incur and pay all costs associated with moving property from the Wedge International leased space; and it is further

ORDERED that this order authorizing the sale of estate property is not subject to the 14-day stay pursuant to Federal Rule of Bankruptcy Procedure 6004(h) and is effective immediately.

DATED: June 7, 2010

Wesley S. Sta
UNITED STATES BANKRUPTCY JUDGE